

TOWN OF WALLACE
MONTHLY TOWN COUNCIL MEETING
February 13, 2020
7:00 pm

The Wallace Town Council held its regularly scheduled monthly meeting in the Council Chambers at the Town Hall.

The following Governing Body members were present:

Charles C. Farrior, Jr., Mayor
Council Member/Mayor Pro-Tem Wannetta Carlton
Council Member Frank Brinkley
Council Member Jeff Carter
Council Member Francisco Rivas-Diaz
Council Member Jason Wells

The following members of the Governing Body were absent:

NONE

Also Present were:

Larry Bergman, Town Manager	Anna Heath, Town Attorney
Jackie Nicholson, Town Clerk	Robert Johnson
Brent Dean, Public Services Director	Darlene Joyner
Shameshia Fennell, Finance Director	Margaret T. Kenan
Rod Fritz, Planning Director	Joseph Merritt
Gage King, Airport Manager	Carol Paes
Chris Martin, Tax Administrator	Steve Paes
David Morgan, Police Captain	James Earl Rich
Sharon Robison, Library Director	Jewel Rogers
Davis Carr	Ann Davis O. Weaver
Marlane Carcopo	Abby Cavenuagh, Duplin Times
Danny Cavanaugh	

Mayor Charley Farrior called the regular meeting to order with a quorum of the governing body members present and the invocation was given by Council Member Frank Brinkley.

The Pledge of Allegiance was recited.

Comments from Council Members

Council Member Frank Brinkley and Council Member Wannetta Carlton both addressed those in attendance regarding negative comments that were recently posted on social media.

Adoption of the Agenda

Mayor Farrior called for discussion of the agenda and asked that an Agreement for Environmental Services be added under old business and a closed session to consult with the attorney regarding an economic development matter. Council Member Brinkley made a motion to adopt the agenda with those additions. The motion was seconded by Council Member Jason Wells and approved by unanimous vote.

Public Comment Period

James Earl Rich said he had three (3) issues to bring before the Council. He said that he has been at his mobile home park the past two (2) weeks when the trash has been collected and they have been throwing the trash cans around and trash is falling on the ground and they are just leaving it there. The second issue he brought up was compliance with the Town's mobile home park regulations. Mr. Rich stated that when the Town adopted the new ordinance, he brought his mobile home park into compliance and none of the other parks have done so. He also said that signs are not being regulated and they are everywhere, and the town looks bad. Mr. Rich said the Town should enforce its own rules.

Marlane Carcopo said that the HGTV Hometown Takeover Makeover group included all volunteer committees in town who met weekly for a month worked together for this program to come to Wallace. Ms. Carcopo said that these organizations plan to work together more cohesively in the future.

Ann Davis O. Weaver thanked the Public Services Department for putting a stop sign back up, removing a dead animal from the road and supplying a new trash can. Ms. Weaver also said that everyone in her neighborhood was appreciative of the removal of some junk cars.

Consent agenda

Minutes from the January 9, 2020 monthly meeting and January 22, 2020 continued meeting

Mayor Farrior called for discussion of the minutes. Council Member Wells made a motion to approve the minutes as submitted which was seconded by Council Member Carlton and approved by unanimous vote.

Tax Report

Tax Administrator Chris Martin presented the Tax Report for the period ending February 13, 2020 and said that collections were up 1.6% compared to last year and down 2.05% compared to the 10-year overall. Mr. Martin said that \$1,003.25 was received from payment plans and he was working on prior year collections. Mr. Martin said he was working on a systematic approach for processing delinquencies including the top ten which would be sent to Zacchaeus Legal Services before the end of the fiscal year.

Tax Releases

There were no tax releases.

Budget Amendments

Finance Director Shameshia Fennell presented budget amendment #13 for Council approval and pointed out specific items for them.

Council Member Wells made a motion to approve budget amendment #13. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Old Business

PUBLIC HEARINGS

Unified Development Ordinance (UDO) Text Amendment for Bars and Nightclubs

Council Member Wells made a motion to open a public hearing that was seconded by Council Member Francisco Rivas-Diaz and approved by unanimous vote.

Planning Director Rod Fritz said that the UDO only allowed bars and nightclubs through the Special Use Permit (SUP) process. He asked the Council to consider amending the UDO allowing bars and nightclubs as a permitted use in the HB (highway business) and CB (central business) zoning districts; adding use specific language to be consistent with the Town's Code of Ordinances Chapter 118 and put some general controls in place. The Planning Board met on January 28 and recommended approval of this amendment to the UDO.

Ms. Darlene Joyner said that the Town doesn't need any bars or nightclubs and Mr. Joseph Merritt was concerned about having them in the Central Business District.

Council Member Brinkley made a motion to close the public hearing which was seconded by Council Member Carlton and approved by unanimous vote.

The Council spent some time discussing parking and will require two (2) parking spaces for every two (2) seats, parking must be paved and lighted, off-site parking must be within five hundred feet (500') of the establishment and in the same zoning district.

Council Member Wells made a motion to adopt An Ordinance Approving A Text Amendment To The Town of Wallace Unified Development Ordinance Chapter 5 Section 5.1.1 Table Of Permitted Uses as discussed. The motion was seconded by Council Member Carter and approved by unanimous vote.

Unified Development Ordinance (UDO) Text Amendment for Building Height in the Highway Business Zoning District

The Council discussed this matter but did not hold the public hearing or take any action as Town Attorney Anna Heath advised that the published notice did not contain sufficient information. It will be re-advertised, and a public hearing will be held.

Unified Development Ordinance (UDO) Text Amendment to Revise and Clarify Density Calculations for Multi-Family Development

The Council discussed this matter but did not hold the public hearing or take any action as Town Attorney Anna Heath advised that the published notice did not contain sufficient information. It will be re-advertised, and a public hearing will be held.

Council Member Carlton made a motion to establish two (2) public hearings for text amendments to the UDO for building height in the highway business zoning district and to revise and clarify density calculations for multi-family development on Thursday, March 12, 2020 after 7:00 pm. The motion was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Cape Fear Council of Governments (CFCOG) Proposal for Chapter 160-D Compliance

Planning Director Fritz said that the CFCOG had submitted a proposal to update the Town of Wallace UDO in accordance with new statutory language established by NCGS 160-D in an amount not to exceed \$10,000.

Council Member Wells made a motion to approve this agreement which was seconded by Council Member Brinkley and approved by unanimous vote.

Parking Ordinance Amendment (Parking Spaces Designated For Law Enforcement)

Police Captain David Morgan said this was presented at the last meeting and at that time he asked the criminal penalties be removed. Attorney Heath has re-written the ordinance to change the criminal penalties to civil penalties. This is only applicable for the Walmart parking lot as it is private property.

Council Member Carlton made a motion to approve An Ordinance Amending Chapter 72: Parking Regulations, §72.03 Limited Parking Of The Town of Wallace. The motion was seconded by Council Member Wells and approved by unanimous vote.

Historic District Property Preservation Program

Town Manager Larry Bergman said that as he was working on this item, he discovered more and more information and he would prefer to present this at a later date in it's complete (draft) form and asked the Council to table this matter until the Retreat. The Council agreed.

Agreement for Environmental Services

Mayor Farrior said that this is related to the 830 project and Duplin Land Development (DLD) will also have to approve.

Council Member Brinkley made a motion to approve an Agreement for Environmental Services for the Willoughby tract which was seconded by Council Member Carlton and approved by unanimous vote.

New Business

Approval of Statewide Mutual Aid Agreement

Town Manager Larry Bergman said the NC Emergency Management is requesting a more formal approach be taken for "mutual aid" in times of emergency and asked the Council to approve the proposed agreement.

Council Member Carter made a motion to approve a Statewide Mutual Aid Agreement. The motion was seconded by Council Member Wells and approved by unanimous vote.

Financial Reports

Finance Director Fennell presented the Financial Reports. Ms. Fennell said she looked into a TeleCheck system, which was requested by Council Member Carter, but though it would not be cost effective for the Town. Ms. Fennell said that Sales tax was still higher than it has been in the past 10 years.

Hurricane Reports

Ms. Fennell said there was no funds have been received but the status of some items has changed and that everything has been submitted for Hurricane Dorian.

Council Reports

Council Member Carlton said that trash collection issues, 18 wheelers parking in residential areas and dilapidated buildings need to be addressed.

Council Member Wells asked if the Department of Corrections had stopped roadside trash pick-up. They have but Sherriff Wallace may have a program, Public Services Director Brent Dean will look into it. The Fire Department is very busy trying to educate the public and prevent misunderstanding of the proposed Fire Tax that will be on the ballot in March.

Council Member Brinkley said there was a bunch of junk in front of a house on Hwy. 41 west of Town.

Council Member Rivas-Diaz said a stop sign down at the intersection of E. Hall St. and SW Railroad St.

Mayor's Report

Mayor Farrior said that a public hearing for economic development. It is a building reuse grant for Project Boro, next Friday, at 1:00 pm in the Council Chambers. The project estimates bringing 147 jobs and invest \$256 million in the area. It's the same day as the retreat but will be held at Town Hall.

Council Member Wells made a motion to establish a public hearing for a building reuse grant on Friday, February 1, 2020 at 1:00 pm in the Council Chambers at Town Hall. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Mayor Farrior said that a couple is having their wedding at the Depot and while they will not be serving alcohol, guests will be bringing it and the Council needs to approve it. The will have the required permit from the ABC Commission.

Council Member Brinkley made a motion to allow the wedding guests to bring alcohol to the Depot which was seconded by Council Member Wells and approved by unanimous vote.

Mayor Farrior asked Attorney Heath the status of the Yates property. Ms. Heath said she had finished drafting the complaint and it is under review by Richard Burrows.

Mayor Farrior asked about any action needed for purchasing the fire trucks. Manager Bergman said that USDA was gathering the information they needed.

Department Head Reports

Rod Fritz, Town Planner, reported that both the Building and Grounds Maintenance Mechanic and Housekeeping/Custodial Worker had begun work. Mr. Fritz added that Madison Grove project would begin construction as soon as the driveway permits with NCDOT (North Carolina Department of Transportation) could be finalized. He attended Code Enforcement training and a PARTF (Parks and Recreation Trust Fund) Grant kickoff meeting. Mr. Fritz added that he has a UDO (Unified Development Ordinance) text amendments for the Planning Board to review.

David Morgan, Police Captain, reported that there were 1,539 calls in December 2019, mentioned promotions and new hires and increasing the department presence on Facebook.

David Bizzell, Parks & Recreation, reported said he was considering an early bird registration discount and late registration penalty in hopes of encouraging more timely registration for programs. He said he was meeting with a contractor to discuss insulation at the Campbell Center.

Sharon Robison, Library Director, reported that the Friends of the Library are purchasing new rocking chairs for in front of the building. She said they will be hosting a ESL (English as a Second Language) class taught by Judy Hansen. The scheduling will depend upon participation and interest. Planning has begun for Easter and summer programs.

Brent Dean, Public Services Director, said it was a quiet month with the holidays and vacations. He added that the majority of the lift stations are now off the rental equipment.

Gage King, Airport Manager said it is a slow time of year although tree trimming helicopters are buying fuel.

Mayor Farrior said a Council member needed to be appointed to the Airport Commission since Warren Hepler retired. Council Member Rivas-Diaz volunteered.

Council Member Carter made a motion to appoint Council Member Rivas-Diaz to the Airport Commission that was seconded by Council Member Brinkley and approved by unanimous vote.

Jackie Nicholson, Town Clerk asked the Council to appoint a member to the Cape Fear Council of Governments (CFCOG). Council Member Wells volunteered.

Council Member Brinkley made a motion to appoint Council Member Wells to the CFCOG as a General Member. The motion was seconded by Council Member Carlton and approved by unanimous vote.

Ms. Nicholson announced the next meeting of the Duplin County Municipal Association on January 16 at 6:30 at the Rose Hill Restaurant and asked who would be attending. Council Members Rivas-Diaz, Carlton, Wells and Mayor Farrior said they would.

Town Manager's Report

Town Manager Larry Bergman reported on the following:

- NCLM elected officials training at the Mad Boar on February 20
- Met with the Fire Chief to discuss fire tax education
- Contracted with Impact Media from Wilmington to create a new website
- Date for the Budget Retreat (February 21 and 22)

Manager Bergman presented a request for installation of a street light on E. Main Street near the Catholic Church. This request was denied.

With there being no other business to discuss at this time, Council Member Wells made a motion continue the meeting on Friday, February 21, 2020 at 1:00 pm. The motion was seconded by Council Member Carter and approved by unanimous vote.

Respectfully submitted,

Charles C. Farrior, Jr., Mayor

Jacqueline Nicholson, CMC, NCCMC
Town Clerk

**TOWN OF WALLACE
BUDGET ORDINANCE AMENDMENT #13
BATCH 32020
FOR BUDGET 2019-2020**

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the budget for the fiscal year ending June 30, 2020:

Section I:	General Fund		
<u>Revenues:</u>			
Account Number	Account Description	Decrease	Increase
10-3010-212	2012 Ad Valorem Taxes	\$50.00	
10-3010-213	2013 Ad Valorem Taxes	460.00	
10-3010-214	2014 Ad Valorem Taxes	\$800.00	
10-3010-216	2016 Ad Valorem Taxes	\$4,855.00	
10-3010-217	2017 Ad Valorem Taxes	\$3,355.00	
10-3010-218	2018 Ad Valorem Taxes	\$19,325.00	
10-3010-219	2019 Ad Valorem Taxes		\$9,457.00
10-3251-000	Business Registration Penalty	\$50.00	
10-3310-005	Rent-Special Events Rental		\$150.00
10-3350-000	Miscellaneous Revenue	\$4,965.00	
10-3350-002	Administrative Revenue		\$354.00
10-3350-016	Insurance Proceeds		\$13,425.00
10-3450-000	Sales Tax -Article 39		\$3,600.00
10-3450—010	Sales Tax -Article 40		\$3,400.00
10-3450-030	Sales Tax -Article 44		\$2,375.00
10-3450-040	Sales Tax -Article 42		\$3,650.00
10-3450-050	Hold Harmless		\$7,850.00
10-3470-010	ABC Net Revenues – Gen Fund	\$17,900.00	
10-3470-020	ABC Net Revenues- Police	\$4,300.00	
10-3510-000	Court Cost and Fees		\$176.00
10-3580-040	Donations – Police Dept	\$525.00	
10-3580-045	Vending Snack Commission (PD)		\$9.00
10-3590-000	Garbage		\$1,500.00
10-3610-100	Business Registration Fee		\$3,860.00
10-3610-565	Code Enforcement	\$165.00	
10-3650-030	Football	\$3,000.00	
10-3650-040	Youth Basketball	\$5,000.00	
10-3650-120	Concessions Sales	\$3,905.00	
10-3650-160	Cheerleading	\$175.00	
10-3650-350	Volleyball		\$2,424.00
10-3650-600	Team Sponsorship	\$500.00	

10-3650-650	Parks & Recreation Donation		\$1,325.00
10-3670-020	Gas Tax Refund		\$116.00
10-3830-000	Sale of Fixed Assets		\$5,171.00
Section II:	General Fund		
<u>Expenditures:</u>			
Account Number	Account Description	Increase	Decrease
10-4100-530	Dues and Subscriptions		\$950.00
10-4100-570	Miscellaneous Expenses	\$875.00	
10-4200-020	Salaries – Administration	\$1,000.00	
10-4200-071	401(k)		\$300.00
10-4200-110	Phone/Wireless		\$100.00
10-4200-315	Fuel	\$350.00	
10-4200-330	Dept Supplies		\$100.00
10-4200-570	Miscellaneous Expenses	\$75.00	
10-4600-022	Salaries Part-time		\$700.00
10-4600-023	Overtime		\$750.00
10-4600-060	Health Insurance		\$500.00
10-4600-070	Retirement		\$200.00
10-4600-071	401(k)		\$600.00
10-4600-075	Computer Maint/Repair	\$3,100.00	
10-4600-080	Professional Services – Legal	\$6,500.00	
10-4600-110	Phone/Wireless	\$7,250.00	
10-4600-140	Travel, Seminar, Meetings	\$1,000.00	
10-4600-450	Contracted Services		\$1,000.00
10-5000-020	Salaries – Building	\$5,000.00	
10-5000-110	Phone/Wireless	\$660.00	
10-5000-130	Utilities	\$1,500.00	
10-5000-150	Maint/Repair Facilities	\$700.00	
10-5000-170	Maint/Repair Vehicles	\$400.00	
10-5000-330	Dept Supplies	\$1,000.00	
10-500-450	Contracted Services		\$7,413.00
10-5000-540	General Insurance		\$600.00
10-5100-020	Salaries-Police Department	\$24,500.00	
10-5100-022	Salaries-Part-time		\$2,500.00
10-5100-024	Separation Allowance	\$1,850.00	
10-5100-050	FICA Taxes	\$2,100.00	
10-5100-070	Retirement	\$2,250.00	
10-5100-071	401(k)	\$3,650.00	
10-5100-110	Phone/Wireless	\$400.00	
10-5100-160	Maint/Repair Equipment	\$900.00	
10-5100-220	K-9 Narcotic Detection		\$500.00
10-5100-265	Public Relations	\$250.00	

10-5100-310	Auto Supplies	\$150.00	
10-5100-315	Fuel Expense	\$5,000.00	
10-5100-320	Special Investigation		\$150.00
10-5100-327	Office Furniture		\$150.00
10-5100-335	Ammunition/Firearms		\$1,000.00
10-5100-360	Uniforms		\$2,000.00
10-5100-540	General Insurance		\$1,000.00
10-5100-570	Miscellaneous Expense	\$100.00	
10-5200-020	Salaries – Animal Control	\$1,500.00	
10-5200-050	FICA Taxes	\$115.00	
10-5200-070	Retirement	\$135.00	
10-5200-071	401(k) Contribution		\$235.00
10-5200-160	Maint/Repair Equipment		\$100.00
10-5200-170	Maint/Repair Vehicles		\$200.00
10-5200-310	Auto Supplies		\$50.00
10-5200-330	Dept Supplies		\$2,000.00
10-5300-020	Salaries - Fire Department		\$500.00
10-5300-050	FICA Taxes	\$350.00	
10-5300-080	Professional Services	\$385.00	
10-5300-140	Travel, Seminars, Meetings		\$100.00
10-5300-170	Maint/Repair Vehicles		\$5,000.00
10-5300-310	Auto Supplies		\$250.00
10-5300-315	Fuel	\$1,000.00	
10-5300-360	Uniforms/Turn-Out Gear		\$1,000.00
10-5300-530	Dues and Subscriptions		\$325.00
10-5300-100	IT Services		\$750.00
10-5400-110	Phone/Wireless	\$850.00	
10-5400-150	Building Repairs/Maint		\$250.00
10-5400-260	Advertising		\$500.00
10-5400-315	Fuel Expense		\$100.00
10-5400-325	Office Supplies		\$100.00
10-5400-450	Contracted Services	\$2,500.00	
10-5400-565	Code Enforcement		\$500.00
10-5600-020	Salaries- Street Department		\$8,900.00
10-5600-023	Overtime	\$250.00	
10-5600-050	FICA Taxes		\$720.00
10-5600-060	Health Insurance		\$4,300.00
10-5600-070	Retirement		\$1,150.00
10-5600-071	401(k) Contribution		\$1,850.00
10-5600-130	Utilities	\$7,500.00	
10-5600-140	Travel, Seminars, Meetings		\$250.00
10-5600-150	Maint/Repair - Facilities		\$450.00

10-5600-170	Maint/Repair – Vehicles		\$1,000.00
10-5600-310	Fuel Expense – Equipment		\$500.00
10-5600-325	Office Supplies		\$250.00
10-5600-331	Christmas Light Expense		\$3,350.00
10-5600-360	Uniforms	\$300.00	
10-5800-450	Tipping & Disposal Fees		\$13,000.00
10-5800-450	Tipping & Disposal Fees	\$110.00	
10-6200-022	Concession Salaries		\$20,500.00
10-6200-023	Overtime	\$800.00	
10-6200-050	FICA Taxes		\$750.00
10-6200-071	401(k) Contribution		\$750.00
10-6200-075	Computer Main/Support	\$1,000.00	
10-6200-080	Professional Services	\$1,000.00	
10-6200-085	Copier Lease		\$100.00
10-6200-110	Phone/Wireless	\$400.00	
10-6200-150	Maint/Repair – Facilities		\$1,000.00
10-6200-160	Maint/Repair Equipment		\$1,000.00
10-6200-170	Maint/Repair – Vehicles		\$350.00
10-6200-182	Football		\$4,620.00
10-6200-183	Youth Basketball		\$1,380.00
10-6200-185	Cheerleader		\$1,000.00
10-6200-190	Adult Programs	\$500.00	
10-6200-315	Fuel	\$250.00	
10-6200-330	Dept Supplies		\$1,000.00
10-6200-450	Contracted Services		\$1,000.00
10-6200-451	Contracted Services - Officials	\$1,000.00	
10-6200-481	Purchase for Resale – Concessions		\$1,000.00
10-6200-530	Dues and Subscriptions		\$100.00
10-6300-020	Salaries – Library		\$950.00
10-6300-050	FICA Taxes		\$150.00
10-6300-060	Health Insurance		\$100.00
10-6300-070	Retirement		\$250.00
10-6300-071	401(k) Contribution		\$800.00
10-6300-110	Phone/Wireless	\$1,650.00	
10-6300-130	Utilities	\$750.00	
10-6300-140	Travel, Seminars, Meetings		\$100.00
10-6300-260	Advertising	\$50.00	
10-6300-450	Contracted Services		\$1,000.00
10-6300-745	Equipment Lease		\$1,000.00
10-6400-150	Maint/Repair – Facilities		\$1,000.00
10-6600-080	Professional Services	\$2,000.00	
10-6600-115	Postage	\$50.00	

10-6600-330	Dept Supplies	\$100.00	
10-6600-450	Contracted Services	\$2,500.00	
Section III:	Powell Bill	Decrease	Increase
Revenues			
Account Number	Account Description		
11-3260-000	Interest Earned – Powell Bill	\$235.00	
Section IV:	Powell Bill	Increase	Decrease
Expenditures	Account Description		
Account Number			
11-5700-160	Maint/Repair – Equipment	\$250.00	
11-5700-180	Maint/Repair – Streets		\$485.00
Section V:	Water & Sewer Fund	Decrease	Increase
Revenues			
Account Number	Account Description		
30-3600-000	Sewer Capacity Fee	\$5,850.00	
30-3600-100	Water Capacity Fee	\$6,650.00	
30-3610-000	Contract Treatment Services	\$25,000.00	
30-3650-100	New Meter Fee	\$1,015.00	
Section VI	Water & Sewer Fund	Increase	Decrease
Expenditures	Account Description		
30-6600-020	Salaries – Water/Sewer Dept		\$31,000.00
30-6600-022	Salaries – Part-Time		\$900.00
30-6600-023	Overtime		\$7,750.00
30-6600-025	Salaries – Governing Body		\$100.00
30-6600-050	FICA Taxes		\$2,750.00
30-6600-060	Health Insurance		\$3,300.00
30-6600-070	Retirement		\$4,250.00
30-6600-071	401(k) Contribution		\$2,950.00
30-6600-080	Professional Services – Legal	\$3,300.00	
30-6600-130	Utilities	\$5,800.00	
30-6600-330	Department Supplies	\$250.00	
30-6600-530	Dues and Subscriptions		\$950.00
30-6600-570	Miscellaneous Expense	\$1.00	
30-6600-578	Utility Collection Fee		\$500.00
30-8100-020	Salaries – Water Department	\$45,350.00	
30-8100-050	FICA Taxes	\$2,250.00	
30-8100-060	Health Insurance	\$700.00	
30-8100-070	Retirement	\$2,850.00	
30-8100-071	401(k) Contribution		\$750.00
30-8100-080	Professional Services Water		\$5,000.00
30-8100-130	Utilities	\$6,000.00	
30-8100-140	Travel, Seminars, Meetings	\$500.00	

30-8100-160	Maint/Repair- Equipment	\$1,000.00	
30-8100-180	Maint/Repair - Buildings		\$2,500.00
30-8100-190	Water Tap Misc Expense		\$500.00
30-8100-315	Fuel – Vehicles	\$1,500.00	
30-8100-325	Office Supplies	\$500.00	
30-8100-331	Chemical Supplies		\$1,000.00
30-8100-340	Water Testing Expense	\$2,000.00	
30-8100-360	Uniforms		\$2,000.00
30-8100-450	Contracted Services	\$35,000.00	
30-8300-020	Salaries – Stevcoknit WWTP		\$18,000.00
30-8300-050	FICA Taxes		\$1,500.00
30-8300-060	Health Insurance		\$2,000.00
30-8300-070	Retirement		\$1,500.00
30-8300-071	401(k) Contribution		\$2,000.00
30-8300-080	Professional Services		\$1,000.00
30-8300-081	Professional Services – Legal		\$5,000.00
30-8300-110	Phone/Wireless		\$321.00
30-8300-150	WWTP Maintenance		\$35,000.00
30-8300-160	Maint/Repair- Equipment	\$2,500.00	
30-8300-310	Auto Supplies		\$1,000.00
30-8300-315	Fuel – Vehicles	\$3,000.00	
30-8300-340	Wastewater Testing		\$2,500.00
30-8300-450	WWTP Contracted Service		\$35,000.00
30-8300-742	Capital Outlay Drying Bed	\$20,005.00	
Section VII	Storm Drainage	Increase	Decrease
Expenditures	Account Description		
59-5900-020	Salaries		\$3,000.00
59-5900-023	Overtime	\$300.00	
59-5900-050	FICA Taxes		\$250.00
59-5900-070	Retirement	\$80.00	
59-5900-150	Maint/Repair Storm Drainage	\$3,000.00	
59-5900-170	Maint/Repair	\$300.00	
59-5900-310	Auto Supplies		\$215.00
59-5900-315	Fuel		\$215.00
Section VIII	Airport	Decrease	Increase
Revenues	Account Description		
65-3101-040	Donations/Contributions		\$320.00
65-3020-020	Airport Fuel Sales	\$7,550.00	
65-3020-025	Airport Oil Sales	\$225.00	
65-3290-000	Interest Earned – Airport		\$100.00
65-3310-015	Rent – Airport Land	\$900.00	
65-3830-000	Sale of Fixed Assets		\$100.00

Section IX	Airport	Increase	Decrease
Expenditures	Account Description		
65-7500-020	Salaries – Airport	\$590.00	
65-7500-022	Salaries – Part-Time		\$1,050.00
65-7500-050	FICA Taxes		\$55.00
65-7500-060	Health Insurance		\$65.00
65-7500-070	Retirement	60.00	
65-7500-071	401(k) Match		\$70.00
65-7500-110	Telephone/Postage	\$300.00	
65-7500-130	Utilities		\$150.00
65-7500-450	Contracted Services	\$1,000.00	
65-7500-540	General Insurance		\$500.00
65-7500-560	Airport Fuel for Resale		\$8,215.00
	TOTAL:	\$352,746.00	\$352,746.00

Section III: Copy to Finance Director:

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this the 13th day of February, 2020

Attest: _____
Jacqueline Nicholson, Town Clerk

Charles C. Farrior, Jr., Mayor

AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE TOWN OF WALLACE
UNIFIED DEVELOPMENT ORDINANCE CHAPTER 5 SECTION 5.1.1 TABLE OF
PERMITTED USES

WHEREAS, the Town of Wallace Town Council adopted a Land Use Plan in 2011;

WHEREAS, Town of Wallace desires to amend the Unified Development Ordinance in accordance with the goals and policies contained within the Land Use Plan;

WHEREAS, the Town of Wallace Planning Board has reviewed this request and recommended approval;

WHEREAS, an opportunity for public input into the suggested amendment has been offered in a public hearing before the Town Council;

WHEREAS the Town Council for the Town of Wallace finds that the requested UDO Text Amendment is consistent with the Land Use Plan, Section 6, Goal 2 and 4, which encourages the Town to ensure that future growth is sustainable and beneficial for the residents of Wallace while also facilitating the redevelopment of older commercial areas to ensure future vitality. The proposed UDO Amendment provides the tools necessary for staff to implement the goals and objectives of the stated Plan and is in the public interest;

WHEREAS, prior to the adoption of the Unified Development Ordinance (UDO) in 2013 the Town of Wallace allowed bars to be located in the Highway Business zoning district;

WHEREAS, the UDO Chapter 5 Section 5.1.1 TABLE OF PERMITTED USES allows bars and nightclubs in the Central Business (CB) and Highway Business (HB) zoning districts only by Special Use Permit (SUP);

WHEREAS, it is in the best interest of the Town to encourage a variety of businesses while maintaining use-specific standards to further define and regulate these establishments; and

WHEREAS, to do that the Chapter 5, Section 5.1.1 TABLE OF PERMITTED USES and *Chapter 5, Section 5.2(BB) USE-SPECIFIC STANDARDS, NIGHTCLUB* in the UDO must be amended as such.

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina, that the *Unified Development Ordinances, Chapter 5, Section 5.1.1 TABLE OF PERMITTED USES* and *Chapter 5, Section 5.2(BB) USE-SPECIFIC STANDARDS, NIGHTCLUB*, is hereby amended as follows:

1. Chapter 5, Section 5.1.1 TABLE OF PERMITTED USES be amended to change **bars** and **nightclubs** to a Permitted Use (as indicated by the letter “P”) in the Central Business (CB) and Highway Business (HB) zoning districts.

2. Use Specific Standards be added to Chapter 5, Section 5.2(BB) Use-Specific Standards, Nightclub, as follows:

Add text as indicated in **bold** to 5.2(BB) Use-Specific Standards, Nightclub.

5.2 USE-SPECIFIC STANDARDS

BB. NIGHTCLUB/**BARS**

1. STANDARDS OF EVALUATION

The following specific standards shall be used to evaluate an application for the approval of this use.

- (a) The proposed methods of soundproofing the buildings must be sufficient to reduce noise from the interior of the building. The noise level at the property line shall not exceed forty-five (45) decibels.
- (b) There must be sufficient number of employees to maintain the safe and orderly operation of the establishment.
- (c) Live **indoor** entertainment and amplified music shall cease no later than 1:00 a.m.
- (d) **Location: No nightclub may be located closer than 500 feet to a church, school, hospital, day care or other nightclub.**
- (e) **Parking:**
 - 1. **Must provide one (1) space per every two (2) seats based upon the maximum occupancy as identified by the Fire Inspector.**
 - 2. **All parking must be paved and lighted to the town's specifications.**
 - 3. **All parking must be off site within 500 feet of the bar/nightclub and must be within the same zone.**

2. OPERATING RULES:

- 1. **Video poker is prohibited.**
- 2. **Permit holder responsible to prohibit any loitering in the parking or other outdoor areas.**
- 3. **No outdoor music after 11:00 p.m. Must comply with §§ 96.35 through 96.38 of the Town of Wallace's Code of Ordinances.**
- 4. **All special promotional events must be reported to the Police Department seven days prior the event.**

3. PERMIT REVOCATION:

- 1. **Any violation of any Town ordinance or state ABC regulation may lead to permit revocation**

2. **If police must respond to more than three disturbances within six months, it may lead to permit revocation.**
3. **The Police Chief will make a recommendation to the Council if there are any violations.**

3. **Repeal of Conflict Ordinances** – All parts of the UDO of the Town of Wallace conflicting or inconsistent with the provisions of this ordinance Amendment are hereby repealed.

4. **Severability** - If any section, part of a section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances

5. **Inclusion in code** - It is the intention of the Town Council entered as hereby ordained, that the provisions of this Ordinance shall become and be made part of the Unified Development Ordinance of the Town of Wallace, North Carolina; that the Section(s) of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word “Ordinance” may be changed to “Section, or “Article” or other word.

6. **Effective Date** - This ordinance shall be effective upon adoption this 13 day of February, 2020.

Adopted this, the 13th day of February 2020.

Adopted by motion of Council Member Wells, seconded by Council Member Carter, and approved by vote of 5 in favor and 0 against.

Attested to:

Charles C. Farrior, Jr., Mayor

Jacqueline Nicholson, Town Clerk